

GOVERNMENT OF ANDHRA PRADESH

A B S R A C T

Social Welfare Department –Land Acquisition for House Sites– Viskhapatnam District – Chinapachila Village, Ravikamatham Mandal - Land Acquired to an extent of Ac.3.72 Cts in Sy. No. 32/2 and 25 for provision of house sites to the weaker section people – Sanction of Rs.2,72,409/- towards balance decretal charges in OP No.40/87 and 41/87– Orders- Issued.

SOCIAL WELFARE (LA.1) DEPARTMENT

G.O Rt.No. 809

Dated: 26.12.2013

Read the following

1. From the District Collector, Visakhapatnam Lr.No.665/1996/E2/SW, Dated. 06.2010
2. From the Commissioner of Social Welfare, A.P., Hyderabad Lr.No.LA3/1869/2008, Dt 03.8.2010 .
3. From the Spl. Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad Ref No : S2/141/ 2012, Dt.05.07.2013.

ORDER:

In the reference 3rd read above, the Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has informed that an extent of acres 2.46 Cts and Ac 1.26 Cts in Sy. No : 32/2 and 25 situated at Chinnapachila (V), Ravikamatam (M), of Visakhapatnam District was acquired for provision of house sites to the weaker sections vide LAO/MRO, Ravikamatam Award Procs. No : 5/86 -87 dt ; 23.03.87 and Award No.3/86-87 , dt 12.02.87 duly fixing the market value at Rs. 5,500/- per acre. On reference made U/s. 18 of the LA Act , the Court of Subordinate Judge at Chodavaram orders dated 19.10.1995 in OP No.40/87 is as follows :

1. the claimant are entitled enhanced compensation of Rs. 29,600/-for Ac. 1.26 cts of dry lands (Rs. 6 per Sq. yard).
2. the claimant are entitled 30% solatium on enhanced compensation
3. the claimants are entitled to additional market value 12% on the enhanced compensation amount from 5.5.86 to 23.07.86.
4. the claimant are entitled 9% interest from 21.07.1986 to 20.07.1987 and 15% p.a. from 21.07.1987 to till the date of payment.

And in OP. No : 41/87

- 1.. the claimant are entitled compensation 46,002 for Ac.2.46 cts of dry lands (Rs. 5 per Sq. yard).
2. the claimant are entitled 30% solatium on enhanced compensation
3. the claimants are entitled to additional market value 12% on the enhanced compensation amount from 28.12.85 to 20.07.86
4. the claimant are entitled 9% interest from 21.07.1986 to 20.07.1987 and 15% p.a. from 21.07.1987 to till the date of payment.

Aggrieved by the Lower Court orders the Land Acquisition Officer has filed AS.No :712/2007 in OP.No: 40/87 and AS.No : 3993/2007 in OP. No.41/87 and the Hon'ble High Court in its orders dated 23.08.2007 has confirmed the Lower Court orders. The Government Pleader for Appeals High Court of AP, on 10.12.2007, has informed that it is not a fit case for filing appeal to Hon'ble Supreme Court of India. The Dist Collector, Visakhapatnam has submitted proposals for sanction of Rs.1,44,440/- towards payment of decretal charges in OP. No ; 40/87 and Rs. 1,27,310/- in OP No.41/8787 for the lands acquired to an extent of Ac. 1.26 Cts and Ac 2.46 Cts respectively situated at Chinnapachila (V), Ravikamatam (M), Visakhapatnam District for providing house sites to the weaker section people.

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2. After verification and scrutiny of the proposals submitted by the District Collector, Visakhapatnam/Commissioner of Social Welfare, A.P., Hyderabad, the Spl Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has sent comparative calculation sheet for Rs.1,37,318/- and Rs.1,35,091/- aggregating to total Rs.2,72,409/- (Rupees two lakhs seventy two thousand four hundred and nine only) towards payment of decretal charges in OP.No ; 40/87 and 41/87 for the lands acquired to an extent of Ac. 1.26 Cts and Ac 2.46 Cts (Total extent of Ac.3.72) situated at Chinnapachila (V), Ravikamatam (M), Visakhapatnam District for providing house sites to the weaker section people., in consultation with Law Department.

3. Government, after careful examination of the above proposal, hereby accord permission to the Commissioner of Social Welfare, A.P., Hyderabad for release an amount of Rs.2,72,409/- (Rupees two lakhs seventy two thousand four hundred and nine only) towards payment of balance decretal charges in O.P.No ; 40/87 and 41/87 for the lands acquired to an extent of Ac. 1.26 Cts and AC 2.46 Cts (Total extent of Ac.3.72) situated at Chinnapachila (V), Ravikamatam (M), Visakhapatnam District for providing house sites to the weaker section people.

4. The expenditure sanctioned in para (3) above shall be met within the BE.2013-14 and debited to the following Head of Account:

“2225-Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes – 01 – Welfare of Scheduled Castes – M.H.283- Housing – G.H.11-Normal State Plan – SH(08) Acquisition of House Sites to weaker sections in Indiramma Programme – 310/312 – Other Grant – in – Aid”.

5. The Commissioner of Social Welfare, A.P., Hyderabad is directed to issue necessary Proceedings to the District Collector, Visakhapatnam to comply with the Court orders in O.P No.40/87 and 41/87.

6. The District Collector, Visakhapatnam shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of the Proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

7. This order does not require the concurrence of Finance (Expr.SW) Department, as per their instructions vide U.O Note No.12869/196/A1/Expr.SW/2009 dated 22.05.2009 and U.O No. 15926/256/A1/1/Expr.SW/09, dated 17.08.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J. RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT(FAC)

To
The Special Chief Secretary & Chief Commissioner of Land Administration,
A.P., Hyderabad
The Commissioner of Social Welfare, A.P., Hyderabad,
The District Collector, Visakhapatnam
Copy to:
The Director of Treasury & Accounts, A.P., Hyderabad,
The Accountant General, A.P., Hyderabad,
The District Treasury Officer, Visakhapatnam District.
Finance (Exp.SW/BG) Department
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER